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BY HAND

William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

Re: Oral and Written Ex Parte Presentations; CC Docket No. 92-297

Dear Mr. Caton:

On Tuesday, May 9, 1995, Dr. James M. Geros and Brian E. Knutsen of Boeing Company and I met with individuals from the International Bureau to discuss Boeing's position in the above-referenced proceeding. The International Bureau was represented by Thomas S. Tycz, Donna L. Bethea, and Jennifer Gilsenan. The information presented and discussed during the meeting is contained in the attached document which was distributed at the meeting. Boeing, in particular, highlighted that it is a large user of international telecommunications services, and consequently, it supports retaining the 28 GHz band for advanced, global satellite services. Proposals to segment the 28 GHz band to accommodate both satellite and terrestrial use also were discussed.

In accordance with § 1.1206(a) of the Commission's rules, two copies of this material are being submitted for inclusion in the public record, and copies of this letter are being sent to each of the Commission participants. Please contact me if you have any questions.

Sincerely,

Marc Berejka
Marc Berejka

Enclosure

cc: Thomas S. Tycz
Donna L. Bethea
Jennifer M. Gilsenan

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List A B C D E

28 GHz Band Spectrum Allocations

CC Docket No. 92-297

BOEING
Commercial Space Company

- Broadband space-based communications needs
 - Public access independent of terrestrial infrastructure
 - Enhance National defense with commercial systems
 - Potential global aviation navigation and services
- Global satellite allocation provides future growth
 - US leadership opportunity in space development
 - GSO and Non-GSO systems provide economic growth
 - Satellite design and production, launch services and ground terminals -- more than \$100B

28 GHz Band Spectrum Allocations

BOEING

Commercial Space Company

- Technology realizable to fully utilize 28 GHz band for space systems
 - NASA ACTS satellite led to technology maturity for space-based Ka Band
 - Boeing investments support this development
- 41 GHz LMDS assignment is “Win-Win” solution
 - International compatibility for Ka Band satellites
 - Global market opportunities for the terrestrial 41 GHz market supported by immediate US entry
 - Relocating LMDS at future date may be more difficult

C.G. King, President
Boeing Defense & Space Group
P.O. Box 3999
Seattle, WA 98124-2499

January 9, 1995

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, DC. 20054

Re: Ex Parte Presentation
CC Docket No. 92-297 -- 28 GHz Band

BOEING

Dear Mr. Chairman:

The Boeing Company is concerned about the proposals advanced in CC Docket No. 92-297 that would allocate spectrum in the 28 GHz band to Local Multipoint Distribution Services to the detriment of the satellite services currently authorized to operate in this band.

The Negotiated Rulemaking Committee, which the Commission established to consider whether and how the 28 GHz band could be shared, recently concluded its deliberations without agreement on a means of co-frequency sharing between the two services. The Boeing Company urges the Commission -- as it reviews the Committee's report and considers the issuance of a further notice of proposed rulemaking -- to be mindful of the long term importance of the 28 GHz band to satellite services.

The 28 GHz band is particularly well-suited for satellite systems because it is allocated to satellite services on an international basis. And, while global satellite systems have obvious applications in public communications, they offer advantages for aviation, space and national defense that cannot be duplicated elsewhere. In the case of aviation, global satellite systems will make possible new and improved communications and navigation systems. These new satellite-based systems -- which will support broadband communications -- will improve aviation safety and air traffic control. They will also enhance passenger satisfaction -- entertainment and efficiency -- and stimulate the demand for air travel services. The United States and its aerospace industry only stand to benefit from such increased demand.

Continued availability of the 28 GHz band for satellite-based services will also be important for the United States' efforts in space. As prime contractor for International Space Station Alpha and as a major provider of space systems and technologies, The Boeing Company expects satellite-based broadband communications to become increasingly important. It was in recognition of this fact that The Boeing Company invested heavily in developing the phased array ground terminals being used in conjunction with NASA's \$1 billion Advanced Communications Technology Satellite ("ACTS") service, which the Commission discussed in the First Report and Order in this proceeding. New satellite-based communications programs such as ACTS will create, and position the United States to exploit, a market exceeding \$100 billion for satellites, ground stations and launch services over the next decade.

BOEING

Satellite-based communications will also play a critical role in our national defense. As the budget for defense continues to decline, the U.S. military will increasingly rely on narrowband and broadband communications satellites for command, control and communications. The military, however, will only be able to do so if these satellites are U.S.-owned and -operated. It is therefore important that the United States maintain its leadership in the design, launch and control of global satellite systems. Without these systems, the United States will find it difficult to contain costs and ensure that the military's global communications needs are satisfied.

Finally, satellite-based services have an important role to play in public communications. As the Commission is well aware, there are many markets and many applications where satellites --and not fiber-- will be key to achieving a Global Information Infrastructure. If the Administration's vision of an interconnected world community is to become a reality, global satellite-based communications systems must be part of that telecommunications infrastructure.

The Boeing Company urges the Commission to follow the general principle of avoiding authorization of incompatible terrestrial services in bands internationally allocated to satellite service. The Europeans have proposed LMDS type services at 40.5 to 42.5 GHz. This is consistent with the commission's recent "Above 40 GHz" notice of proposed rule making. Authorizing LMDS at the 41 GHz band would create a "Win-Win" solution where both services — LMDS and FSS — can coexist. Authorizing LMDS in the same band as the Europeans would also help create global equipment markets. Given the importance of satellite-based services to the economic health and security of the United States, the Commission should leave the current allocation of the 28 GHz band unchanged.

Respectfully,


C. G. King

cc: William E. Caton